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37372

May 10, 1984

Mr. Robert McKnight
Hazardous Waste Site Branch
Office of Emergency and Remedial Response
U.S. Environmental Protection Agency
26 Federal Plaza
New York, New York 10278

Re: Tifa, Ltd.
Our File No. 5395

Dear Mr. McKnight:

The Environmental Protection Agency's correspondence of April 24, 1984, to our client, Tifa, Ltd. respecting the asbestos dump hazardous waste site in Millington, New Jersey has been turned over to me for a response.

As I am sure you are aware, 42 U.S.C. 9607 provides for liability for any person who at the time of disposal of the hazardous substance owned or operated a facility at which hazardous substances were disposed of. As you know, National Gypsum was the owner and generator of the waste at the Millington site. I would suggest that if any voluntary efforts to undertake studies or corrective measures or payment for same is to be made by the generator of the waste, National Gypsum is the responsible party.

By copy of this letter I am advising Mr. William T. Reilly of McCarter & English of your inquiry and suggest that he contact you to discuss the financial or other assistance which National Gypsum will be providing respecting the studies to be done on this site. I noted from a review of the internal memorandums between the New Jersey Department of Environmental Protection and the Environmental Protection Agency that the cost of these studies is estimated to be approximately \$500,000.

I suggest you make arrangements through Mr. Reilly or such other person at National Gypsum as Mr. Reilly designates to arrange for funding of these studies.

- TIFA RESPONSE TO NOTICE LETTER -

ASB 002 0333

FUERST, SINGER, YUSEM AND BOEHMER
A PROFESSIONAL ASSOCIATION

U.S. Environmental Protection Agency
Attn: Mr. Robert McKnight
May 10, 1984
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Should anything further be required of Tifa, Ltd., please
do not hesitate to contact me.

Very truly yours,

FUERST, SINGER, YUSEM & BOEHMER
A Professional Association

BY: Richard P. Boehmer
RICHARD P. BOEHMER

RPB/lp

cc: Tifa, Ltd.
William T. Reilly, Esq.
Tony Ferro, NJDEP
George King, NJDEP